

# EXHIBIT 82

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

STATE OF NEW YORK, et al.

Plaintiffs,

v.

ROBERT F. KENNEDY, JR., in his official capacity as  
SECRETARY OF THE U.S. DEPARTMENT OF  
HEALTH AND HUMAN SERVICES, et al.,

Defendants.

Case No. 1:25-cv-00196

**SECOND SUPPLEMENTAL DECLARATION OF JOHN DOE 2**

I, John Doe 2, an employee at the National Institute for Occupational Safety and Health (NIOSH), declare under the penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct:

1. I am over the age of 18 and have personal knowledge of all the facts stated herein through personal experience, through conversations with my colleagues, and through review of the records to which I have access.

2. I submit this Second Supplemental Declaration and as a continuation of the two Declarations I have already submitted in this case. I am doing so anonymously, and withholding certain identifying details, because I am still employed by the Federal Government and fear retaliation for my participation in this lawsuit.

3. Following this Court's Order Granting Plaintiffs' Motion for Preliminary Injunction on July 1, 2025, to my knowledge, there have been no further reinstatements or restorations of any staff at NIOSH, including both the Spokane and Pittsburgh Mining Research Divisions. The Spokane Mining Research Division (SMRD), for instance, remains woefully

understaffed, with only three Public Health Service workers and its Director working full time, though the Director has not been taken off administrative leave. Most of the remaining employees are currently working less than 10% of the time, not conducting any research, though have been allowed to respond to some select requests for technical assistance.

4. Moreover, it remains my understanding that no employee in NIOSH's Western States Division (WSD), also housed in Spokane, have yet received RIF rescissions. Only WSD's Director remains in active employment with NIOSH, and their teams have, to my knowledge, not been able to conduct any of their region-focused work since their employees were RIFed.

5. Outside of SMRD, with the majority of its employees subject to a RIF and still on administrative leave (and thus unable to work), NIOSH remains severely hindered in its ability to fulfill its statutory missions without the entire staff being fully reinstated. For example, to my knowledge, the staff in NIOSH's intramural programs, including the Spokane Mining Research Division, the Western States Division, and the teams responsible for the update of the NIOSH Pocket Guide to Chemical Hazards and the NIOSH Manual of Analytic Methods (among others) that were laid off have not been restored. Those programs that have been restored are severely limited in their ability to conduct their research and service work because employees in critical support offices in other parts of NIOSH and the Centers for Disease Control and Prevention were also laid off.

6. I am still unaware of any transition plan to transfer the duties performed across NIOSH to anywhere else in the government, and to my knowledge, no such organization exists with the requisite knowledge and expertise to take this work over. I believe NIOSH's broader research and service capabilities to protect the health and safety of American workers remain crippled absent full reinstatement.

7. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

JOHN DOE 2  
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JOHN DOE 2, NIOSH EMPLOYEE  
Spokane, Washington

Date: July 23, 2025